

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
FILED

OCT 22 2009

CLERK, U.S. DISTRICT COURT  
BY \_\_\_\_\_ DEPUTY

CHIMA AGIM,

Petitioner,

v.

RICK THALER, Director,  
Texas Department of Criminal Justice,  
Correctional Institutions Division,

Respondent.

2:09-CV-0227

**ORDER OVERRULING OBJECTIONS,**  
**ADOPTING REPORT AND RECOMMENDATION,**  
**and DENYING PETITION FOR A WRIT OF HABEAS CORPUS**

Petitioner has filed with this Court a petition for a writ of habeas corpus challenging a prison disciplinary case. On September 28, 2009, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the petition for a writ of habeas corpus be denied as petitioner is ineligible for mandatory supervised release due to his 1999 conviction for aggravated sexual assault. On October 15, 2009, petitioner filed objections to the Report and Recommendation arguing therein that his conviction for aggravated sexual assault is void and, thus, cannot be used as a basis to refuse to consider his challenge to the prison disciplinary case.

The undersigned United States District Judge has made an independent examination of the record in this case. Petitioner's objections are without merit and are hereby OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner is DENIED.

IT IS SO ORDERED.

ENTERED this 23rd day of October 2009.

*Mary Lou Robinson*  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE